

Lin B.

**Entered on Docket
August 10, 2009**

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

DATE: 06/18/2009
TIME: 3:30 PM

The Motion of Debtors, JOSEPH WILLIAMS and KARIE WILLIAMS, to Value Collateral and Modify The Rights of COUNTRYWIDE HOME LOANS, with regard to its wholly unsecured second mortgage on Debtor's real property, having come on regularly for hearing on the 18th of June, 2009, at 3:30 p.m., and with CHARLES GEISENDORF, ESQ. of AARON AND PATERNOSTER LTD., appearing for Debtors and, pursuant to notice duly given, no Opposition being filed by the Trustee or by creditors and the Court having heard the representations of counsel, and having reviewed the moving papers on file herein, and good cause appearing therefore.

1 The Court finds as follows:

- 2 1. That Debtors' property located at 6291 Explorer Drive, Las Vegas, Nevada 89103
3 ("Subject Property") is valued at ONE HUNDRED SEVENTY THREE THOUSAND
4 FOUR HUNDRED TWENTY SEVEN AND 00/100 DOLLARS (\$173,427.00).
5
6 2. That on the filing date of the instant Chapter 13 petition, COUNTRYWIDE'S HOME
7 LOANS' second mortgage claim against the Subject Property was wholly unsecured.

8 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that COUNTRYWIDE
9 HOME LOANS' secured claim is "Stripped off" and shall be treated as a "general unsecured
10 claim" pursuant to 11 U.S.C. Section 506 (a):

11 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that COUNTRYWIDE
12 HOME LOANS' claim be reclassified as a general unsecured claim to be paid pro rata with other
13 general unsecured creditors through Debtor's Chapter 13 plan; and
14

15 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that COUNTRYWIDE
16 HOME LOANS is stripped of any rights secured by Subject Property.

17 DATED: July 27, 2009

18
19 AARON & PATERNOSTER, LTD.

20
21 By: /s/ MATTHEW AARON
22 MATTHEW E. AARON, ESQ.
23 Nevada Bar #4900
24 2300 W. Sahara #650, Box 30
25 Las Vegas, NV 89102
26 Attorneys for Debtor(s)
27
28

1 In accordance with LR 9021, counsel submitting this document certifies as follows (check
2 one):

3 ☐ The court has waived the requirement of approval under LR 9021.

4 ☐ No parties appeared or filed written objections, and there is no trustee
appointed in the case.

5 ☒ I have delivered a copy of this proposed order to all counsel who appeared at the
6 hearing, any unrepresented parties who appeared at the hearing, and any trustee appointed in this
7 case, and each has approved or disapproved the order, or failed to respond, as indicated below
[list each party and whether the party has approved, disapproved, or failed to respond to the
document]:

8 Submitted by:

9 AARON & PATERNOSTER, LTD.

10
11 By: /s/ MATTHEW AARON
12 MATTHEW E. AARON, ESQ.
13 Nevada Bar #4900
14 2300 W. Sahara #650, Box 30
15 Las Vegas, NV 89102
Attorneys for Debtor(s)

16 **CHAPTER 13 TRUSTEE**

17 Approved/Disapproved/Failed to Respond

18 By: _____
19 Kathleen Leavitt, Trustee

20 No appearance on behalf of COUNTRYWIDE HOME LOANS
21
22
23
24
25
26
27
28